

**NOTICE OF PROPOSED RULEMAKING**  
**TITLE 4. PROFESSIONS AND OCCUPATIONS**  
**CHAPTER 25. BOARD OF PODIATRY EXAMINERS**

**PREAMBLE**

**1. Article, Part or Section (as applicable) Rulemaking Action:**

R4-25-103

Amend

**2. Citations to the agency's rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**

Authorizing statute: A.R.S. § 32-801

Implementing statute: A.R.S. §§ 32-801 et seq.

**3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rules:**

Notice of Rulemaking Docket Opening: 25 A.A.R. 465, October 18, 2023.

**4. The agency's contact person who can answer questions about the rulemaking:**

Name: Heather Broaddus

Address: Arizona State Board of Podiatry Examiners

1740 West Adams Street, Suite 3004

Phoenix, AZ 85007

Telephone: (602) 542-8151

E-mail: [heather.broaddus@podiatry.az.gov](mailto:heather.broaddus@podiatry.az.gov)

Website: <https://podiatry.az.gov>

**5. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**

The Board is proposing an increase in its annual license renewal fee. According to Board statute (A.R.S. §32-830(3)(4), the Board can collect up to five hundred dollars for annual renewal of a license. The annual renewal fee has not been increased since at least 2003; however, there is a rising need to increase this fee. Operating costs including, but not

limited to, rent, information technology, salary increases and other state agency fees (CSB and shared services) have steadily increased over the years. Additionally, statute now mandates that all Board members undergo Board member training. The cost of training per Board member ranges from \$250.00 to \$620.00. Currently, the Board is awaiting two Board appointments; once appointed the new Board members will be required to undergo training, incurring the “per Board member” cost each time. The Board is self-funded by its licensees and does not receive funds or appropriations from the State. The justification for a fee increase is to continue to generate sufficient revenue to fund vital operations (e.g., licensure, investigation of complaints, public board meetings) of the Agency without which, the public would not be protected. Furthermore, a fee increase would proliferate the State’s general fund as the Board is required to submit 10% of all revenue to the general fund. The Board is proposing to raise the annual renewal fee by \$100.00.

Without increasing the annual renewal fee the Board’s ending fund balance is expected to decrease by approximately 4% per year assuming that revenues are consistent and expenses continue to grow. This puts the Board at risk of being unable to meet its operational costs. The increase in the annual renewal fee will correct the Board’s fund structural balance which will support the Board’s operations and help it better fulfill its mandate of protecting the public.

In the interim, in an effort to reduce costs to the Board, its Executive Director has begun to furlough one day per month.

**6. A reference to any study relevant to the rules that the agency reviewed and proposes either to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

None

**7. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

**8. The preliminary summary of the economic, small business, and consumer impact:**

The rulemaking makes no substantive changes. It will have minimal, if any, economic impact to current licensees only. There is no economic impact to the public.

**9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:**

Name: Heather Broaddus  
Address: Arizona State Board of Podiatry Examiners  
1740 West Adams Street, Suite 3004  
Phoenix, AZ 85007  
Telephone: (602) 542-8151  
E-mail: [heather.broaddus@podiatry.az.gov](mailto:heather.broaddus@podiatry.az.gov)  
Website: <https://podiatry.az.gov>

**10. The time, place, and nature of the proceedings to make, amend, repeal or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:**

An oral proceeding regarding the proposed rules will not be held unless requested. Any and all comments regarding these proposed rules may be submitted directly to the Arizona State Board of Podiatry Examiners via the following methods:

1. E-mail to Heather Broaddus, Executive Director at [heather.broaddus@podiatry.az.gov](mailto:heather.broaddus@podiatry.az.gov),
2. In person at the Board offices: 1740 West Adams Street, Suite 3004, Phoenix, AZ 85007
3. Mail to the Board offices: 1740 West Adams Street, Suite 3004, Phoenix, AZ 85007

The rulemaking record will close at 5:00 p.m., December 11, 2023.

**11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A. R. S. §41-1052 and §41-1055 shall respond to the following questions:**

**a. Whether the rule requires a permit, whether general permit is used and if not, the reasons why a general permit is not used:**

Not applicable

**b. Whether federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation into the statutory authority to exceed the requirements of federal law:**

Not applicable

**c. Whether a person submitted an analysis to the agency that compares the rules impact of the competitiveness of business in the state to the impact on business in other states:**

None

**12. A list of any incorporated by reference material as specified in A. R. S. §41-1028 and its location in the rules:**

None

**13. The full text of the rules follows:**

**TITLE 4. PROFESSIONS AND OCCUPATIONS**  
**CHAPTER 25. BOARD OF PODIATRY EXAMINERS**

**ARTICLE 1. GENERAL PROVISIONS**

Section  
R4-25-103. Fees

**ARIZONA ADMINISTRATIVE CODE (Rules)**  
**TITLE 4. PROFESSIONS AND OCCUPATIONS**  
**CHAPTER 25. BOARD OF PODIATRY EXAMINERS**  
**ARTICLE 1. GENERAL PROVISIONS**

**R4-25-103. Fees**

The Board shall charge the following fees, which are not refundable unless A.R.S. § 41-1077 applies:

1. Application for license according to A.R.S. §§ 32-822(A) and 32-825, \$450.00.
2. Application for license according to A.R.S. § 32-827, \$450.00.
3. License issuance, \$225.00.
4. Annual renewal, ~~\$275.00~~ \$375.00.
5. Penalty fee for late renewal after July 30, \$150.00 in addition to the regular renewal fee.
6. Certification of a licensee to authorities of another state or country, \$10.00.
7. For initial registration to dispense drugs and devices, \$200.00.
8. For annual renewal of registration to dispense drugs and devices, \$100.00.
9. Application for temporary license and issuance of license, \$100.00
10. Application for telehealth registration and issuance of registration, \$50.00.